

Attorney Docket No. 10527U\$161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:	CERTIFICATE OF MAILING BY (5'0') EXPRESS MAIL
Martin et al.)
	EXPRESS MAIL NO.
SERIAL NO.: 09/863,722	EL 849 000 351 US
FILED: May 23, 2001) I hereby certify that this correspondence is) being deposited with the United States
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NETWORK) date indicate below and is addressed to
	Assistant Commissioner for Patents,
EXAMINER: THOMAS A. DIXON	Washington, D.C. 20231.
GROUP ART UNIT: 3629	Joseph M. Butscher
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	Date: $Axi(25,2\omega)$ MAY 0 6 2003

TERMINAL DISCLAIMER TO OBVIATE

DOUBLE PATENTING ISSUE (37 C.F.R. 1.321(b))

GROUP 3600

Assistant Commissioner of Patents Washington, D.C. 20231

Dear Sir:

Interest of Entity Making This Disclaimer
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05/08/2003 LWALDEN 00000001 130017 09863722 Sale Ref: 00000001 DAH: 130017 09863722 01 FC:1814 110.00 CH

Arachnid, Inc. is the assignee of the entire interest in the above-identified application as

well as U.S. Patent No. 6,397,189, dated May 28, 2002 (hereinafter the "189 Patent").

Disclaimer

Arachnid, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the '189 Patent, and hereby agrees that any patent granted on the above-identified application shall be enforceable only during such period that said patent is commonly owned with the '189 Patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee of its successors or assigns.

It is to be understood from the foregoing that Arachnid, Inc. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the term of the '189 Patent, if the effective life of the '189 Patent is shortened by a subsequent event (such as, for example, failure to pay a maintenance fee, a court or Patent Office ruling, or a disclaimer by the patentee).

Fee Status (37 C.F.R. 1.20(d))

A check including the \$55.00 fee was previously submitted. The Commissioner is hereby authorized to charge any additional fees or credit overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Evidentiary Statement

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee, Arachnid, Inc., seeking to take action.

Respectfully submitted,

Date: $\frac{4}{25}/03$

Joseph M. Burscher Reg. No. 48,326

Attorney for Applicants

McAndrews, Held & Malloy, Ltd. 500 West Madison Street, 34th Floor Chicago, Illinois 60661

Telephone: (312) 775-8000

Fax: (312)775-8100

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Applicant: MARTIN et al.
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Attorneys for Applicant

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